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PATENT  
ATTORNEY DOCKET NO.: 039592-5075-01US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
Thauming KUO et al. )  
Application No.: 09/993,956 / ) Group Art Unit: 1711  
Filed: November 27, 2001 ) Examiner: Unassigned  
For: POLYESTER RESIN INTERMEDIATE )  
COMPOSITIONS AND PREPARATION )  
AND USES THEREOF )

Commissioner for Patents and Trademark  
Washington, D.C. 20231  
**BOX MISSING PARTS**

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

1. This replies to the Notice to File Missing Parts of Nonprovisional Application mailed December 6, 2001.

A copy of the Notice To File Missing Parts Of Nonprovisional Application is enclosed.

2. Declaration Or Oath

No declaration or oath was filed. Enclosed is the original Combined Declaration and Power of Attorney

The specification attached to the declaration is a copy of the specification and any amendments thereto which were filed in the PTO to obtain the filing date.

The declaration or oath which was filed was determined to be defective. A new original Combined Declaration and Power of Attorney is attached.

3. English Translation of Non-English Language Papers

Submitted herewith is a verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the PTO.

4. Small Entity Statement(s)

[ ] Applicants claim small entity status as provided under 37 C.F.R. §§ 1.9 and 1.27.

5. Fee Calculation

Basic Fee:				
Patent Application-\$740.00				
Design Application-\$370.00				\$ 740.00
	Number Filed	Number Extra	at a Rate of	
Total Claims	12 - 20 =	0	\$18.00 each=	+ 0.00
Independent Claims	4 - 3 =	1	\$84.00 each=	+ 84.00
Multiple dependent claim(s), if any			\$270.00	+ 0.00
Missing Parts Surcharge Fee			\$130.00	+ 130.00
<b>SUB-TOTAL =</b>				954.00
Reduction by ½ for filing by a small entity				- \$ .00
<b>SUB-TOTAL =</b>				954.00
Fee For Application Filed With A Non-English Specification (37 CFR 1.17(k) and 1.52(d)		\$130.00	+ 0	
Fee For Processing and retention of application (37 CFR 1.21(l) and 1.53(d)		\$130.00	+ 0	
<b>TOTAL FILING FEE =</b>				\$ 954.00

6. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

[ ] Applicant petitions for an extension of time, the fees for which are set out in 37 CFR 1.17(a)-(d), for the total number of months checked below:

<u>Total months requested</u>	<u>Fee for extension</u>	<u>[fee for Small Entity]</u>
[ ] one month	\$ 110.00	\$ 55.00
[ ] two months	\$ 390.00	\$195.00
[ ] three months	\$ 890.00	\$445.00
[ ] four months	\$1,390.00	\$695.00

Extension of time fee due with this request: \$0

If an additional extension of time is required, please consider this a Petition therefor.

Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition and fee for extension of time.

#### 7. Fee Payment

The total fee due is:	Filing Fee	<u>\$740.00</u>
	Claims	<u>\$84.00</u>
	Missing Parts Fee	<u>\$130.00</u>
	Total Fee Due	<u>\$954.00</u>
Less Fees paid upon filing of application		<u>\$710.00</u>
	<b>Total Fee Due</b>	<b><u>\$244.00</u></b>

On November 26, 2001, Applicants filed a Continuation Application which included a check in the amount of \$710.00 to cover the filing fee and claims. Applicants inadvertently paid (1) the pre-October 1, 2001 filing fee and (2) for only three independent claims instead of four. Applicants hereby authorize the Commissioner to charge \$244.00 to Deposit Account No. 50-0310 to cover the difference for the non-small entity filing fee (\$30.00), extra independent claim (\$84.00) and missing parts surcharge fee (\$130.00).

**EXCEPT** for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §1.16 and §1.17 which may be required, or credit any overpayment to Deposit Account No. 50-0310.

8. Additional papers enclosed.

- Preliminary Amendment
- Information Disclosure Statement
- Form PTO-1449
- Citations
- Declaration of Biological Deposit
- Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

Christine S. Lee

Christine S. Lee  
Reg. No. 42,788

Date: February 4, 2002

**CUSTOMER NO. 009629**

**MORGAN, LEWIS & BOCKIUS LLP**

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**UNITED STATES PATENT AND TRADEMARK OFFICE**

#3  
 COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/993,956	11/27/2001	Thauming Kuo	039592-5075-01US

009629  
 MORGAN, LEWIS & BOCKIUS  
 1800 M STREET NW  
 WASHINGTON, DC 20036-5869

**CONFIRMATION NO. 9006**  
**FORMALITIES LETTER**



\*OC000000007162234\*

Date Mailed: 12/06/2001



**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

**FILED UNDER 37 CFR 1.53(b)**

***Filing Date Granted***

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is insufficient.  
*Applicant must submit \$ 30 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$84.
  - \$84 for 1 independent claims over 3 .
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 244.**

02/06/2002 SDIRETA1 00000038 500310 09993956

01 FC:101	20.00 CH
02 FC:102	84.00 CH
03 FC:105	130.00 CH

*A copy of this notice **MUST** be returned with the reply.*

  
 Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE